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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/716,616 11/20/00 MAY

M SIG000039

024263
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MMC2/0508

EXAMINER

RILEY, S

ART UNIT

PAPER NUMBER

2838

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DATE MAILED:

05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/716,616	MAY ET AL.	
	Examiner	Art Unit	
	Shawn Riley	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 7-12, 14, 16, and 18-23 is/are rejected.
- 7) ☒ Claim(s) 3-6, 13, 15 and 17 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

1. Claims 2, 11 (and therefore 12) and 18 (and therefore 19) are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "for at least one of" and then goes on to list, presumably, two alternate choices (one of, both of which could be chosen). Given that applicant probably meant, instead of "in the application **and** the application", "in the application **and or** the application" the claim as it currently is recited is unclear. Similar problem exists for claims 11 and 18.

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 7-10, 14, 16, and as far as understood, claims 2, 11, 18 are rejected under 35 U.S.C. §102(a) as being fully anticipated by Reents (U.S. Patent 6,067,627). Reents shows, (in,

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e.g., figures 1-4 and the corresponding disclosure) a power efficient integrated circuit comprising a phase locked loop operably coupled to receive a reference clock and produce therefrom a system clock based on a system clock control, an on-chip power supply control module, a memory operably coupled to store at least one application and a computational engine operably coupled to produce the system clock control signal and the power supply control signal based on a processing transfer characteristic of the computational engine.

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 7-10, 14, 16, and as far as understood, claims 2, 11, 18 are rejected under 35 U.S.C. §102(b) as being fully anticipated by Jackson (U.S. Patent 5,825,674). Jackson shows, (in, e.g., figure 3 and 6 and the corresponding disclosure) a power efficient integrated circuit comprising a phase locked loop operably coupled to receive a reference clock and produce therefrom a system clock based on a system clock control, an on-chip power supply control module, a memory operably coupled to store at least one application and a computational engine operably coupled to produce the system clock control signal and the power supply control signal based on a processing transfer characteristic of the computational engine.

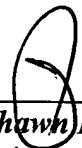
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Allowable Subject Matter

4. Claims 3-6, 13, 15, 17, and 20-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 12 and 19 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims.
6. As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b) and section 707.07(a) of the M.P.E.P.

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Riley whose telephone number is 703.305.3487. The Examiner can normally be reached Monday through Thursday from 7:30-6:00 p.m. Eastern Standard Time. The fax phone number for this Group is 703.305.7731 or 7732. Any inquiry of a **general nature** or relating to the **status** of this application or proceeding should be **directed to the Group receptionist** whose telephone number is 703.308.1782.


Shawn Riley
Primary Examiner